

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

EDWIN WALKER,

Plaintiff

v.

JEROME W. WALSH, et al.,
Defendants

CIVIL ACTION NO. 3:11-CV-1750

(Judge Nealon)
(Magistrate Judge Carlson)

**FILED
SCRANTON**

MAY 3 - 2012

ORDER

PBR

DEPUTY CLERK

NOW, THIS 3rd DAY OF MAY, 2012, for the reasons set forth in the Memorandum

issued this date, **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation (Doc. 17) is **ADOPTED**;
2. Plaintiff's objections (Docs. 18, 19) are **OVERRULED**;
3. All claims and Defendants, except for the claim against Defendant Goyne for failing to protect Plaintiff by assigning him to a top bunk despite his age, are **DISMISSED with prejudice**;
4. The Clerk of Court is directed to **TERMINATE** Defendants Walsh, Gordon, Varner, Demming, and Kaye¹ as parties to this action;
5. The Amended Complaint (Doc. 16) is **STRICKEN**;
6. The Clerk of Courts is directed to **SERVE** a copy of the original Complaint (Doc. 1) on Defendant Goyne;
7. This case is **REMANDED** to Magistrate Judge Carlson for further proceedings; and
8. Any appeal will be deemed frivolous, lacking merit, and not taken in good faith.


United States District Judge

¹The amended complaint names Defendants Demming and Kaye, but they were never added to the docket.